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Changing Climate In Intelligence Agen

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Two years ago, when David Atlee Phillips and like-minded defenders of the Central Intelligence Agency set out on the college lecture circuit, they were routinely confronted by hecklers and protesters denouncing them as "assassins."

The climate has changed. The investigations are over. The recriminations have subsided. The apologists have turned into advocates, urging, even demanding, a stronger hand for the CIA and the rest of the intelligence community despite the record of abuses.

"There's absolutely no question about it," says Phillips, the founder and past president of the Association of Former Intelligence Officers. "A lot of people are saying, 'Gee, the agency has won.' Well, I'm afraid we haven't won. But we have survived."

They may yet be able to claim victory. The CIA—and its congressional overseers, who were first organized in 1975 to cope with disclosures of illegal domestic spying and other misdeeds—stand today at a crucial juncture.

A comprehensive piece of legislation, the National Intelligence Reorganization and Reform Act of 1978 (S. 2525), has been drafted and debated at Senate hearings for months now, but all sides dismiss it as nothing more than a talking paper, a starting point.

Sen. Frank Church (D-Idaho), who served as the chairman of the original Senate Intelligence Committee and its unprecedented investigations, thinks it is already too late.

"Reforms have been delayed to death," he said in an interview. "This has been the defense mechanism of the agency and it could easily have been foreseen . . . Memories are very short. I think the shrewd operators, the friends of the CIA, recognized that time was on their side, that they could hold out against legislative action."

Other senators, members of the present committee such as Walter D. Huddleston (D-Ky.) and Charles McC. Mathias (R-Md.), profess to be more optimistic, insisting that a new legislative charter for the intelligence community will indeed be passed, probably next year. They point out that the Carter administration is, after all, committed to that goal.

But there is increasing uncertainty as to just what kind of intelligence reforms could get through Congress these days and which of those the administration will wind up supporting. The tensions over Africa, the recriminations with the Soviet Union over spies here and there and other signs of what the Russians have called "a chilly war," could, officials agree, produce a stiffer line from the White House.

"We're at a critical period right now," acknowledges Senate Intelligence Committee Chairman Birch Bayh (D-Ind.). "There are significantly more questions being raised in the executive branch right now about the future of (congressional) oversight than there have been in the past. That's why I say we're at a very delicate stage right now."

Bayh indicated that he was speaking of administration concern over some recent news leaks about actual and proposed covert operations, which must now be reported to Congress, however vaguely.

"The whole matter—charters, oversight and everything—I think is going to rise or fall on the (congressional) security question," Bayh told a reporter. "If we cannot convince the president that we can handle this information securely, he's not going to give it to us for oversight and he's not going to continue to support charter legislation that forces the intelligence agencies to give it to us for oversight."

There is also a troubling catch to that proposition, Bayh said. Officials of every administration have been known to leak secret tidbits of information from time to time themselves, for various reasons. That is also happening these days, Bayh is convinced.

near the top of any CIA official's legislative "wish list."

Under Hughes-Ryan, covert actions in foreign countries can be undertaken only if the president finds each such operation "important to the national security" and reports it "in a timely fashion to the appropriate committees of the Congress," currently four in each house. Past and present CIA officials regularly denounce the proviso as a "disaster" even though most of the leaks for which Hughes-Ryan is blamed probably would have occurred anyway.

Former CIA Director William E. Colby, for instance, believes the House Intelligence Committee headed by Otis Pike (D-N.Y.) was "mainly" responsible for the fact that "every new thing [covert action] that I briefed Congress about during 1975 leaked."

But the Pike committee, like the Church committee, would have gotten that information anyway, in the course of its congressionally mandated investigations, even if Hughes-Ryan had never been passed. Its successors, the permanent Senate and House Intelligence committees, will continue to get that information even if Hughes-Ryan is repealed. Only the three other committees in each house, Appropriations, Armed Services and Foreign or International Relations, will be cut off.

Still, repeal of Hughes-Ryan has become a goal for the intelligence community in the legislative battles that lie ahead.

"Four committees in each house is absurd," Colby declared. "The breadth of the reporting makes it much less of a secret, more of a topic of conversation."